

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SONJA TABBERT, Ancillary Personal
Representative of the Estate of Kenneth
Tabbert,

Plaintiff,

Case No. 05-CV-71288-DT

v.

R.J. MARSHALL COMPANY,

Defendant.

ORDER OF DISMISSAL

On August 25, 2005, the court issued an order staying this case until Plaintiff Sonja Tabbert retained an attorney, elected to proceed *pro se*, or indicated she desired to abandon her claim. On October 13, 2005, Plaintiff filed a "Status Report," in which she states that she "cannot pursue the case." Accordingly, the court will dismiss the case pursuant to Federal Rule of Civil Procedure 41(a)(2).

IT IS ORDERED that Plaintiff's complaint is DISMISSED with prejudice and without costs or fees to either party.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 15, 2005

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 15, 2005, by electronic and/or ordinary mail.

S/Lisa G. Teets
Case Manager and Deputy Clerk
(313) 234-5522